

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated February 3, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-7 and 12-22 are pending in the Application. Claims 17-22 are added by this amendment. By means of the present amendment, the claims are amended including for better conformance to U.S. practice, such as correcting certain informalities noted upon review of the claims. By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, the Examiner indicates that claims 5 and 14-16 are allowable if rewritten in independent form. Applicants gratefully acknowledge the indication that claims 5 and 14-16 contain patentable subject matter. By means of the present amendment, new claims 18 and 20-22 are added that include features similar respectively to the features of the indicated allowable claims 5, 14-16.

Accordingly, it is respectfully requested that independent claims 18 and 20-22 be allowed. In addition, it is respectfully requested that claim 19 also be allowed at least based on its

dependence from claim 18 as well as its individually patentable elements.

In the Office Action, claims 1-7 and 12-16 are rejected under 35 U.S.C. §112, first paragraph and second paragraph. These rejection of the claims are respectfully traversed. However, in the interest of expediting consideration and allowance of the pending claims, the Applicants have elected to amend the claims to address the concerns raised in the Office Action. It is respectfully submitted that claims 1-7 and 12-16 are clearly enabled and definite. Accordingly, withdrawal of the rejections to claims 1-7 and 12-16 under 35 U.S.C. §112, first and second paragraphs is respectfully requested.

Claims 1-4, 6-7 and 12-13 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,773,566 to Shenderov ("Shenderov '566") in view of U.S. Patent No. 6,565,727 to Shenderov ("Shenderov '727"). It is respectfully submitted that claims 1-4, 6-7 and 12-13 are allowable over Shenderov '566 in view of Shenderov '727 for at least the following reasons.

It is undisputed that "Shenderov '566 fails to teach the carrier and/or substrate is provided with at least electrode having a shape selected to influence an orientation of the small object with respect to at least one of the carrier and substrate." (See, Office Action, page 4.) Shenderov '727 is relied on to provide that which is admitted missing from Shenderov '566, however, it is

respectfully submitted that reliance on Shenderov '727 is misplaced.

Shenderov '727 shows a (emphasis added) "microchip laboratory system [that] comprises a material handling device that transports liquid in the form of individual droplets positioned between two substantially parallel, flat surfaces." (See, Shenderov '727, FIG. 1 and col. 2, lines 21-24.) Accordingly, although Shenderov '727 does show "flat electrodes 32a,b on opposite surfaces (FIG. 1)", clearly the electrode configuration shown by Shenderov '727 is only suitable for the transport of droplets and is not suitable for detachable coupling to an object since "[t]he [fluid] chamber is formed by the top 22 and the bottom 24 wafers" (see, Shenderov '727, col. 2, lines 21-24.) with the one of each electrode present in each of the wafers (see, FIG. 1).

Further, while Shenderov '727 does describe that "[t]o aid the effect of electrowetting in moving liquid from one electrode to another, in a preferred embodiment the gap separating two adjacent electrodes is not straight. Preferably, it has either sawtooth or meander shape, preferably with rounded corners. The depths and widths of the interdigitated features of the adjacent electrodes are preferably chosen so as to promote moving liquid from one electrode to another when the voltage is applied to the latter electrode ..." (See, Shenderov '727, col. 4, lines 30-37.) Nonetheless, it is respectfully submitted that a teaching of altering the interdigitated features of the electrode to promote

movement of liquid, does not disclose or suggest an electrode having a shape selected to influence an orientation of the object with respect to the at least one of the carrier and the substrate as recited in claim 1.

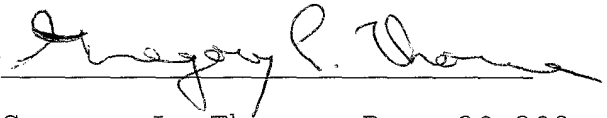
It is respectfully submitted that the system of claim 1 is not anticipated or made obvious by the teachings of Shenderov '566 in view of Shenderov '727. For example, Shenderov '566 in view of Shenderov '727 does not teach, disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis added) "a fluid droplet which couples the object detachably to at least one of the carrier and the substrate, wherein the fluid droplet has surface tension sufficient to carry the object, wherein the at least one of the carrier and the substrate is provided with an electrode having a shape selected to influence an orientation of the object with respect to the at least one of the carrier and the substrate, wherein the electrode is shaped so that it corresponds with the shape of the object" as recited in claim 1. Shenderov '566 is admitted lacking any showing related to an electrode, while the teachings of Shenderov '727 are not suitable for object transport due to the sandwiching of the fluid between two wafers and electrodes. Further, clearly Shenderov '727 since it is unrelated to object transport can not be said to teach, disclose or suggest the shaping of the electrode to correspond to the shape of the object.

Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Shenderov '566 in view of Shenderov '727 and notice to this effect is earnestly solicited. Claims 2-7 and 12-16 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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